

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

Josh L. Anderson
Plaintiff

V.

CIVIL ACTION No. 04-135 ERIE

Larry E. Kopko, Randy J. Ickert
and Katie L. Avenali
Defendants

MOTION FOR AN ORDER COMPELLING DISCOVERY

Plaintiff moves this court for an order pursuant to **RULE 37(a) of the Federal Rules of Civil Procedure** Compelling Defendant **Larry E. Kopko** to produce for inspection and copying the following documents:

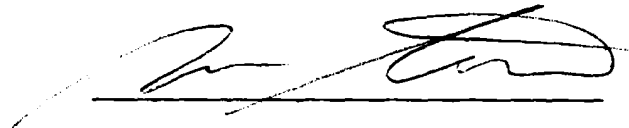
- 1) The complete prison record of the plaintiff JOSH L. ANDERSON.
- 2) All written statements, original or copies, identifiable as reports about the incident of FEB. 4, 2004, made by prison and civilian employees or any and all statements taken from prisoner witnesses.
- 3) Any and all rules, regulations, and policies of the Warren County Prison.
- 4) Any and all written orders on how to deal with the plaintiff JOSH L. ANDERSON.

Plaintiff submitted a written request for these documents, pursuant to **RULE 34** of the **Federal Rules of Civil Procedure** on October 19, 2005 but have not yet received the documents.

Plaintiff also moves for an order pursuant to **RULE 37(a)(4)** requiring the aforesaid Defendant to pay Plaintiff the sum of \$10.39 as reasonable expenses in obtaining this order, on the ground that the Defendants' refusal to produce the documents had no Substantial Justification.

DATE:

December 6, 2005



JOSH L. ANDERSON

FW-6915

1 Kelley Dr.

Coal Township, PA. 17866-1021